

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Application No.:	10/575,078	Examiner:	Justin V. LEWIS
Filing Date:	January 19, 2007	Art Unit:	3725
First Inventor:	Gerhard SCHWENK	Customer No.:	23364
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For:	VALUE DOCUMENT		

APPEAL BRIEF

Commissioner for Patents
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Sir:

INTRODUCTORY COMMENTS

This is an appeal brief filed pursuant to the appellant's appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-32 in the above-identified application.

I. REAL PARTY OF INTEREST

The real party of interest is the assignee of record: Giesecke and Devrient GmbH.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1, 4-11, 13, 16-19, 30 and 31 are currently rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,506,476 (*Kaule*) in view of U.S. patent 4,455,039 (*Soules*) and further in view of U.S. patent 4,455,039 (*Weitzen*).

Claims 2, 3 and 21-29 are currently rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,506,476 (*Kaule*) in view of U.S. patent 4,455,039 (*Soules*) and further in view of U.S. patent 4,455,039 (*Weitzen*) and U.S. patent 6,491,324 (*Schmitz*).

Claims 12, 14, 15, 20 and 32 are currently rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,506,476 (*Kaule*) in view of U.S. patent 4,455,039 (*Soules*) and further in view of U.S. patent 4,455,039 (*Weitzen*) and U.S. patent application publication 2004/0084277 (*Blair*).

Claims 1 and 18 are currently appealed herein.

Claim 1 is an independent claim and claims 2-17 and 22-32 depend from claim 1.

Claim 18 is an independent claim and claims 19-21 depend from claim 18.

IV. STATUS OF AMENDMENTS

There are no outstanding amendments to the claims. The most recent amendment to the claims was filed on April 2, 2009. The amendment appears to have been entered and considered by the examiner as reflected by the Office Action dated July 16, 2009.

V. SUMMARY OF CLAIMED SUBJECT MATTER

For the purposes of appeal, the rejection of independent claims 1 and 18 is appealed. The patentability of dependent claims 2-17 and 19-32 will rise or fall based on the determination of the patentability of claims 1 and 18.

A. Claim 1

Claim 1 is directed to a value document (10) having a value document substrate (12) and at least two different feature substances (16, 14) for checking the value document (Fig. 1; par. [0040] at p. 9, ll. 25-27). The first and second feature substances (16, 14) form mutually independent codings (Figs. 1-4; par. [0008] at p. 2, ll. 8-14; par. [0043] at p. 10, ll. 23-29).

The second feature substance (14) is applied to the value document substrate (12) (Fig. 1; [0041] at p. 10, ll. 7-15). The first feature substance (16) is applied to the value document substrate (12) or incorporated into the volume of the substrate (12) (Figs. 1 and 2; par. [0042] at p. 10, ll. 16-20).

The first feature substance (16) is formed by at least one of a luminescent substance and a mixture of luminescent substances having a complex spectral distribution (par. [0015] at p. 3, l. 21 through p. 4, l. 4; par. [0042] at p. 10, ll. 20-24). The spectral distribution of the first feature substance (16) itself forms the coding of the first feature substance (16) (par. [0015] at p. 3, ll. 27-29; par. [0042] at p. 10, ll. 23-24).

B. Claim 18

Claim 18 is directed to a method for producing a value document (10). The method includes the step of providing first and second feature substances (16, 14) forming mutually independent codings (Fig. 1; par. [0040] at p. 9, ll. 25-27). The second feature substance (14) is applied to a value document substrate (12) (Fig. 1; [0041] at p. 10, ll. 7-15). The first feature substance (16) is applied to the value document substrate (12) and/or incorporated into the volume of the value document substrate (12) (Figs. 1

and 2; par. [0042] at p. 10, ll. 16-20).

The method also includes the step of forming the first feature substance (16) from at least one of a luminescent substance and a mixture of luminescent substances having a complex spectral distribution (par. [0015] at p. 3, l. 21 through p. 4, l. 4; par. [0042] at p. 10, ll. 20-24).

The method also includes the step of forming the coding of the first feature substance (16) from the spectral distribution itself (par. [0015] at p. 3, ll. 27-29; par. [0042] at p. 10, ll. 23-24).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Pending independent claims 1 and 18 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,506,476 (*Kaule*) in view of U.S. patent 4,455,039 (*Soules*) and further in view of U.S. patent 4,455,039 (*Weitzen*).

This rejection of claims 1 and 18 is currently appealed herein.

VII. ARGUMENT

A. Overview

Pending independent claims 1 and 18 are currently rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,506,476 (*Kaule*) in view of U.S. patent 4,455,039 (*Soules*) and further in view of U.S. patent 4,455,039 (*Weitzen*). This rejection of independent claims 1 and 18 is currently appealed herein.

It is submitted that the proposed combination *Kaule*, *Soules* and *Weitzen* fails to render the pending claims *prima facie* obvious since the collective teachings of the references fail to teach every feature required by pending claims 1 and 18, and the skilled person would not conclude from the proposed combination that claims 1 and 18 are obvious. Accordingly, withdrawal of the rejection is respectfully requested.

B. Pertinent Law on Obviousness

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. *See In re Fine*, 837 F.2d 1071, 1073, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). In so doing, the examiner must make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (1966), *viz.*, (1) the scope and content of the prior art; (2) the differences between the prior art and the claims at issue; and (3) the level of ordinary skill in the art.

The scope and content of the prior art, and the level of ordinary skill in the art may be evidenced by the prior art references. *In re GPAC Inc.*, 57 F.3d 1573, 1579, 35 USPQ2d 1116, 1121 (Fed. Cir. 1995); *see also In re Oelrich*, 579 F.2d 86, 91, 198 USPQ 210, 214 (CCPA 1978).

The examiner bears the initial burden of presenting a *prima facie* case of obviousness. *In re Oetiker*, 977 F.2d, 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). In order to establish a *prima facie* case of obviousness, the examiner must show

that each and every limitation of the claim is described or suggested by the prior art or would have been obvious based on the knowledge of those of ordinary skill in the art. *See Fine*, 837 F.2d at 1074, 5 USPQ2d at 1598.

Furthermore, rejections cannot be based on mere conclusory statements and instead “there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness’.... [H]owever, the analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ.” *KSR Int’l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)).

Obviousness is then determined on the basis of the evidence as a whole and the relative persuasiveness of the arguments. *See Oetiker*, 977 F.2d at 1445, 24 USPQ2d at 1444; *In re Piasecki*, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir. 1984).

C. Reasons Why Claims 1 and 18 are Patentable over the Proposed Combination of *Kaule*, *Weitzen* and *Soules*

Reversal of the rejection of claims 1 and 18 is respectfully requested on the basis that (1) the combination of *Kaule*, *Soules* and *Weitzen* fails to disclose every limitation required by pending claims 1 and 18, and (2) the skilled person would not be motivated or understand from the combination of *Kaule*, *Soules* and *Weitzen* to make the value document of claim 1 or devise the method of claim 18 from the combination of the teachings of *Kaule*, *Soules* and *Weitzen*.

1. Combination of *Kaule*, *Soules* and *Weitzen* fails to disclose every limitation required by pending claims 1 and 18

The combination of *Kaule*, *Soules* and *Weitzen* fails to disclose every limitation required by the pending claims. Specifically, the combination fails to teach (a) a value document wherein first and second feature substances are located on a substrate and

forming mutually independent codings, and (b) a first feature substance which is a luminescent substance and a mixture of luminescent substances has a complex spectral distribution that itself forms a coding. Each of these limitations is required by claims 1 and 18.

- a. Combination of *Kaule*, *Soules* and *Weitzen* fails to disclose first and second feature substances on a substrate and forming mutually independent codings

In observing claims 1 and 18, these claims are drawn to a value document having at least two different feature substances for checking the value document, wherein first and second feature substances form mutually independent codings.

As described in the specification at paragraphs [0009] and [0010], this arrangement allows a first group of users to use the first feature substance for authenticity checking and value recognition, and a second group of users to use the second feature substance for authenticity checking and value recognition. With this arrangement, knowledge of the procedure of one group does not reveal the substances and methods used for authenticity checking and value recognition by another group.

The specification explains that the codings provide coded information which can be, in the case of a bank note, the denomination, the currency, the series, or other special characteristics of the bank note (par. [0006]).

None of the cited references contemplate providing at least two different feature substances on the same value document for checking the value document, wherein first and second feature substances form mutually independent codings. Instead, *Kaule*, *Soules* and *Weitzen* each teach a single independent coding. The combination of *Kaule*, *Soules* and *Weitzen* is bereft of the understanding of providing not only two different codings on a value document but making these codings independent from one another.

The rejection reasons that because *Kaule* teaches the use of one feature substance (feature substance A) and *Weitzen* teaches the use of another feature substance (feature

substance B), the skilled person would reach the conclusion that it would be obvious to add feature substance A plus feature substance B on a value document. *Soules* is added to the combination to substantiate the assertion that it was known to form a coding from a spectral distribution itself.

The applicant respectfully disagrees that the skilled person would understand from the combined teachings of *Kaule* and *Weitzen* to provide at least two different feature substances on the same value document for checking the value document, wherein first and second feature substances form mutually independent codings.

The rejection acknowledges that *Kaule* teaches only a single authentication feature formed from a luminescent substance (p. 3, Office Action dated Jan. 5, 2010). Indeed, in referring to the embodiment of Fig. 1, *Kaule* describes a luminescent substance (6) contained within a volume of paper or plastic layer (3) (col. 6, ll. 34-45).

It will be noted that the luminescent substance (6) itself, when excited, is merely provided as an authenticity feature (col. 1, ll. 38-59); it does not appear to form a coding, as defined by the pending application.

Thus, from *Kaule*, there is no understanding of providing first and second feature substances on a substrate and forming mutually independent codings.

In reference to *Weitzen*, the skilled person would understand to provide a substrate (2) carrying bands (3, 4, 5) which combine to form a single bar code (Fig. 1; 1:37-41; 3:58-61). The bands (3, 4, 5) are not independent from one another since they together form a bar code; taking only one band and comparing it to another band would yield an incomplete code.

It is thus clear from *Weitzen* that there is no understanding of providing first and second feature substances on a substrate and forming mutually independent codings.

Soules does not contribute anything more than the teachings of *Kaule* and *Weitzen* in that *Soules* only describes a “card code” (11) formed from a plurality of spaced apart

wide bars extending from an upper margin (14) to a lower margin (15) (9:4-19; Fig. 1). This card code includes spaced apart wide bars forming a common bar code, as would be understood by the skilled person.

The code taught by *Soules* is a single bar code. It follows that *Soules* does not teach first and second feature substances on a substrate and forming mutually independent codings.

From these observations, there is no understanding when the teachings of *Kaule*, *Soules* and *Weitzen* are combined of the limitation of claims 1 and 18 which require providing a value document having first and second feature substances on a substrate and forming mutually independent codings.

- b. Combination of *Kaule*, *Soules* and *Weitzen* fails to disclose a value document having a first feature substance which is a luminescent substance and a mixture of luminescent substances having a complex spectral distribution that itself forms a coding

The combination of *Kaule*, *Soules* and *Weitzen* fails to disclose a value document having a first feature substance which is a luminescent substance and a mixture of luminescent substances having a complex spectral distribution that itself forms a coding.

As acknowledged in the Action, nowhere is there any understanding in the teachings of *Kaule* and *Weitzen* of using a feature substance having the characteristics of the first feature substance in amended claim 1.

Kaule does not disclose the use of a mixture of luminescent substances, and only describes that different substances can be used. There is no understanding of the luminescent substances having a complex spectral distribution which forms a coding itself.

Weitzen only teaches one coding that may be formed by a luminescent substance with the various bands combining to form a single code.

Soules is relied upon in the rejection to make up for the shortcomings of *Kaule* and *Weitzen* on this limitation as to the manner in which the coding of the first feature substance is formed. It is submitted that *Soules* does not teach this limitation of claims 1 and 18.

Specifically, there is no understanding in *Soules* of using a feature substance having a complex spectral distribution which itself forms a coding.

The rejection appears to rely on col. 4, ll. 42-46 of *Soules* as teaching this limitation, but such a reliance on this passage is misplaced. Indeed, this passage only indicates to the skilled person that playing cards may be provided with machine readable indicia or a card code invisible to the human eye.

The rejection also relies on Fig. 1, in which the specification refers to such embodiment of *Soules* in column 9. Column 9, however, only discloses that playing cards may be provided with crystals which absorb in the near-infrared or near-ultraviolet range (col. 9, ll. 45-56). Moreover, *Soules* teaches that the code may be formed from inorganic or organic particles which are chosen to fluoresce in the visible or infrared range, and that the marking substances are recognizable in the infrared or ultraviolet range may be printed over one another (col. 10, l. 62 through col. 11, l. 15).

The code taught by *Soules* is a bar code, as is readily apparent from Fig. 1. The coding is not derived from any spectral distribution of substances used to form each bar in the bar code. Each bar (12, 13) is not taken in isolation but the set of bars, their spacing and their width are taken in combination with one another to form a code (col. 9, ll. 4-19). The skilled person would not understand from the bars and the set of the bars of *Soules* as being arranged to provide a spectral distribution that itself forms a coding.

In each instance described by *Soules*, the bars are used together to form a bar code; under no instance is any of these bars described by *Soules* as forming a coding unto itself.

The rejection relies on the title of the invention of *Soules*, "Method for Making Coded Playing Cards Having Machine Readable Coding" as evidence that *Soules* teaches a feature substance that may be formed with special coding which represents a coding. The applicant does not dispute that *Soules* teaches a machine readable coding, however the coding of *Soules*, for the above-noted reasons, is different from the coding of the first substance feature required by claims 1 and 18.

Simply put, claims 1 and 18 require a coding defined from a spectral distribution of a luminescent substance and a mixture of luminescent substances having a complex spectral distribution. *Soules* merely teaches a machine readable bar code on playing cards.

The rejection asserts that *Soules* teaches the concept of providing a spectral distribution itself as forming a coding by referring to Fig. 1. No further explanation is provided other than to state that "Applicants have failed to indicate precisely how *Soules* fails to represent a different code formed by a different substance." (p. 14, Office Action dated Jan. 5, 2010). As discussed above, the skilled person would not arrive at the concept of providing a spectral distribution itself as forming a coding from observing Fig. 1.

For the aforementioned reasons, the applicant considers it readily apparent from considering as a whole the basic teachings of a bar code in *Soules* that there is no teaching of a spectral distribution itself forming a coding. Indeed, it is submitted that the rejection fails to sufficiently describe how *Soules* can be construed to teach a feature substance having a spectral distribution itself forming a coding in weighing the contrary evidence provided by the applicant.

Accordingly, *Soules* (as with *Kaule* and *Weitzen*) neither suggests nor discloses the limitation that a coding for a feature substance is defined from a spectral distribution of a luminescent substance and a mixture of luminescent substances having a complex spectral distribution.

c. Conclusion

From these observations, it is submitted that the combination of *Kaule*, *Soules* and *Weitzen* fails to disclose every limitation required by independent claims 1 and 18, in particular (a) a value document wherein first and second feature substances are on a substrate and form mutually independent codings, and (b) a first feature substance which is a luminescent substance and a mixture of luminescent substances having a complex spectral distribution that itself forms a coding.

2. The skilled person would not be motivated or understand from the combination of *Kaule*, *Soules* and *Weitzen* to make the value document of claim 1 or devise the method of claim 18 from the combination of *Kaule*, *Soules* and *Weitzen*

The rejection fails to provide sufficient factual underpinnings to demonstrate how it would have been obvious to place the combined codings of *Kaule*, *Soules* and *Weitzen* on a single value document substrate.

The rejection provides reasoning derived from *Weitzen* that a coding on a value document is used to make it more difficult to counterfeit the value document (1:31-33).

The applicant does not deny that it is known to provide the broad concept of a coding on a value document to protect against counterfeiting. What the applicant submits is that it would not be understood from *Kaule*, *Soules* and *Weitzen* to provide the particular multiple feature substance arrangement of claims 1 and 18 on a value document. In short, the rejection relies on a broad problem (protection against counterfeits) as the basis that the skilled person would combine the teachings of *Kaule*, *Soules* and *Weitzen* to arrive at a particular solution.

Presumably, the single codings of *Kaule*, *Soules* and *Weitzen* make the value documents thereof more difficult to counterfeit, yet the identified passage in *Weitzen* or any other teaching among *Kaule*, *Soules* and *Weitzen* does not convey to skilled person the notion of two different feature substances each providing a coding independent from one another on a single value document.

The rejection alleges that there are sufficient factual underpinnings in *Kaule*, *Weitzen* and *Soules* on the basis that each of these references are related to security features on security documents, and are of the same general family of invention. These grounds alone are conclusory and insufficient to support a claim of obviousness (p. 14, Office Action dated Jan. 5, 2010).

The rejection fails to explain how it would be predictable for the skilled person to combine the teachings of *Kaule*, *Soules* and *Weitzen* (keeping in mind that each describe a single coding on a substrate), and arrive at a value document having two feature substances forming mutually independent codings. These express teachings of a single coding in each of *Kaule*, *Soules* and *Weitzen*, if anything, point that the solution of claims 1 and 18 would not be understood from the references.

Accordingly, it is submitted that the skilled person would not understand from *Kaule*, *Soules* and *Weitzen* the notion of the value document according to claim 1 having two feature substances forming independent codings.

There is also no evidence presented in the rejection that shows how the skilled person would understand from any of *Kaule*, *Soules* and *Weitzen* to provide a coding for a feature substance defined from a spectral distribution of a luminescent substance and a mixture of luminescent substances having a complex spectral distribution, especially in combination with two feature substances forming mutually independent codings. In short, *Soules* and *Weitzen* teach value documents with single bar codes, whereas *Kaule* teaches an authentication feature.

From these observations, it is submitted that the rejection fails to provide the requisite reasoning to support a conclusion of obviousness of claims 1 and 18 from the combination *Kaule*, *Soules* and *Weitzen*.

3. Summary

It is therefore submitted that the proposed combination of *Kaule*, *Soules* and *Weitzen* fails to disclose every limitation required by independent claims 1 and 18, and that the rejection fails to sufficiently articulate the factual underpinnings for establishing a conclusion of obviousness of claims 1 and 18.

VIII. Conclusion

For the reasons set forth above, independent claims 1 and 18 of the pending application define subject matter that is not obvious within the meaning of 35 U.S.C. § 103(a) by.

Reversal of the rejection of claims 1 and 18, and allowance of claims 1-32 are respectfully requested.

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IX. CLAIMS APPENDIX

Claim 1. A value document, comprising:

a value document substrate and at least two different feature substances for checking the value document, wherein first and second feature substances form mutually independent codings, the second feature substance being applied to the value document substrate, and the first feature substance being applied to the value document substrate or incorporated into the volume of the substrate;

wherein the first feature substance is formed by at least one of a luminescent substance and a mixture of luminescent substances, having a complex spectral distribution;

wherein said spectral distribution itself forms a coding.

Claim 2. The value document according to claim 1, including a third feature substance incorporated into the volume of the substrate of the value document.

Claim 3. The value document according to claim 2, wherein the third feature substance is distributed substantially uniformly within the volume of the value document substrate.

Claim 4. The value document according to claim 1, wherein the second feature substance is formed by at least one of a luminescent substance and a mixture of luminescent substances.

Claim 5. The value document according to claim 1, wherein at least one of the feature substances is formed on the basis of a host lattice doped with rare earth elements.

Claim 6. The value document according to claim 1, wherein at least one coding extends over a predominant part of a surface of the value document.

Claim 7. The value document according to claim 1, wherein at least one coding is a bar code.

Claim 8. The value document according to claim 1, wherein a coding lies in the material properties of the second feature substance.

Claim 9. The value document according to claim 1, wherein at least one coding represents information about the value document, the information being present in at least one of encrypted and unencrypted form.

Claim 10. The value document according to claim 1, wherein the codings formed by the first and second feature substances are either or both applied at different places of the value document and applied with different shapes on the value document.

Claim 11. The value document according to claim 1, wherein the codings formed by the first and second feature substances represent different information contents.

Claim 12. The value document according to claim 1, wherein the value document substrate comprises a printed or unprinted cotton fiber paper.

Claim 13. The value document according to claim 1, wherein the value document substrate comprises a printed or unprinted plastic film.

Claim 14. The value document according to claim 1, wherein the substrate is paper having the form of a moist paper web during production, and wherein at least one of the first and second feature substances is printed on the value document substrate.

Claim 15. The value document according to claim 1, wherein at least one of the first and second feature substances is applied to the moist paper web in the form of the coding during papermaking.

Claim 16. The value document according to claim 1, wherein the first feature substance is present within the volume of the value document substrate or near the surface in the substrate.

Claim 17. The value document according to claim 1, wherein at least one of the first and second feature substances is colorless or has only little inherent color in the visible spectral range.

Claim 18. A method for producing a value document, comprising the steps:

providing first and second feature substances forming mutually independent codings, the second feature substance being applied to a value document substrate, and the first feature substance either or both being applied to the value document substrate and incorporated into the volume of the value document substrate;

forming the first feature substance from at least one of a luminescent substance and a mixture of luminescent substances, having a complex spectral distribution; and

forming a coding from said spectral distribution itself.

Claim 19. The production method according to claim 18, wherein the first and/or second feature substance is printed on the value document substrate.

Claim 20. The production method according to claim 18, wherein the value document substrate is formed by a printed or unprinted cotton paper, and wherein at least one of the first and second feature substances is sprayed onto the moist paper web during papermaking.

Claim 21. The production method according to claim 18, wherein a third feature substance is incorporated into the value document substrate.

Claim 22. A method for checking or processing a value document according to claim 1, comprising the steps:

checking the authenticity of the value document and carrying out a value recognition of the document by using at least one characteristic property of at least one of the first and second feature substances for checking the authenticity of the value

document, and the coding formed by at least one of the first and second feature substances for the value recognition of the value document; and

when selecting the first feature substance to check the authenticity of the value document, checking the authenticity of the value document on the basis of the coding formed by said spectral distribution itself.

Claim 23. The method according to claim 22, wherein at least one characteristic property of the first feature substance is used for checking the authenticity of the value document, and the coding formed by the first feature substance for the value recognition of the value document, by a user of a first user group.

Claim 24. The method according to claim 22, wherein at least one characteristic property of the second feature substance is used for checking the authenticity of the value document, and the coding formed by the second feature substance for the value recognition of the value document, by a user of a second user group.

Claim 25. The method according to claim 22, wherein at least one characteristic property of at least one of the first and third feature substances is used for checking the authenticity of the value document, and the coding formed by the first feature substance is used for the value recognition of the value document, if the user belongs to a first user group, and at least one characteristic property of the second feature substance is used for checking the authenticity of the value document, and the coding formed by the second feature substance is used for the value recognition of the value document, if the user belongs to a second user group.

Claim 26. The method according to claim 22, wherein the first feature substance is a luminescent substance, and for the authenticity check or value recognition by a user of a first user group, the first feature substance is irradiated with radiation from its excitation range, the emission is determined at least one wavelength from the emission range of the first feature substance, and at least one of the check of authenticity and the value recognition is carried out on the basis of the determined emission.

Claim 27. The method according to claim 22, wherein the second feature substance is a luminescent substance, for the authenticity check or value recognition by a user of a second user group the second feature substance is irradiated with radiation from its excitation range, the emission is determined at least one wavelength from the emission range of the second feature substance, and either or both the check of authenticity and the value recognition is carried out on the basis of the determined emission.

Claim 28. The method according to claim 26, wherein at least one of the first and second feature substances is irradiated with at least one of visible and infrared radiation, and the emission of the irradiated feature substance is determined in the infrared spectral range.

Claim 29. The method according to claim 26, wherein the irradiation is performed with at least one of a light-emitting diode and a laser diode.

Claim 30. The value document according to claim 6, wherein the coding extends over substantially the total surface of the value document.

Claim 31. The value document according to claim 8, wherein the material properties are in the form of at least one of emission and excitation spectra.

Claim 32. The value document according to claim 15, wherein the second feature substance is sprayed on the moist paper web in the form of the coding.

X. EVIDENCE APPENDIX

There are no copies of evidence entered and relied upon in this appeal
of the pending application.

XI. RELATED PROCEEDINGS APPENDIX

There are no related proceedings or decisions rendered by a court or the Board of Appeals in any proceeding identified in the related appeals and interferences section in the pending application.